

27-Apr-10 03:38pm From-MILLER THOMSON

+5197432540

T-768 P.02/06 F-730
RECEIVED
CENTRAL FAX CENTER

APR 27 2010

IN THE UNITED STATES PATENT OFFICE

April 27, 2010

Miller Thomson LLP
Accelerator Building
295 Hagey Blvd, Suite 300
Waterloo, Ontario
N2L 6R5
(519) 579-3660 phone
(519) 576-2030 fax

APPLICANT : New World Generation Inc.

INVENTORS : Paul H.F. Merswolke et al

SERIAL NO. : 10/596,314

FILED : 06/08/2006

TITLE : WIND TURBINE TO PRODUCE ELECTRICITY

DOCKET : 58342.0013

Mail Stop Amendment
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA, 22313-1450

ATTENTION: Dwayne J. White, Examiner
Art Unit 3745

Dear Sir:

Further to your letter of April 1, 2010, a copy of which is enclosed for ease of reference, please find enclosed form PTO 2038 for the payment of \$130.00 excess claims fee.

It is respectfully submitted that the Application is now in condition for allowance.

04/29/2010 TLUU22 00000044 10596314

01 FC:2615 130.00 0P

4138043 1

PAGE 2/6 * RCVD AT 4/27/2010 3:39:14 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-5/9 * DNI:2738300 * CSID:+5197432540 * DURATION (mm:ss):02-06

27-Apr-10 03:38pm From-MILLER THOMSON

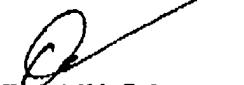
+5197432540

T-768 P.03/06 F-730

RECEIVED
CENTRAL FAX CENTER

APR 27 2010

Respectfully submitted,


Daryl W. Schnurr
Reg. No. 28,569
(519) 593-3226

4138043.1

PAGE 3/6 * RCVD AT 4/27/2010 3:39:14 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-5/9 * DNIS:2738300 * CSID:+5197432540 * DURATION (mm:ss):02-06



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P O Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

RECEIVED
 CENTRAL FAX CENTER

APR 27 2010

| APPLICATION NO | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO | CONFIRMATION NO |
|---------------------------|-------------|----------------------|--------------------|-----------------|
| 10/596,314 | 06/08/2006 | Paul H F. Metzwohl | 58342 0013 | 5263 |
| 24629 | 7590 | 04/01/2010 | EXAMINER | |
| DARYL W SCHNURR | | | WHITE, DWAYNE J | |
| MILLER THOMSON LLP | | | ART UNIT | |
| ACCELERATOR BUILDING | | | PAPER NUMBER | |
| 295 HAGEY BLVD, SUITE 300 | | | 3745 | |
| WATERLOO, ON N2L 6RS | | | MAIL DATE | |
| CANADA | | | 04/01/2010 | |
| | | | DELIVERY MODE | |
| | | | PAPER | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

RECEIVED
 APR 12 2010

APR 27 2010

| NOTICE REQUIRING EXCESS CLAIMS FEES | Application No. | Applicant(s) |
|-------------------------------------|-----------------|-----------------|
| | 10/596,314 | MERSWOLKE ET AL |
| | Art Unit | 3700 |

The excess claim(s) filed on 09 December, 2009 is not accompanied by the appropriate payment of excess claims fees set forth in 37 CFR 1.16(h)-(j) or 1.492(d)-(f). Excess claims fees are required for each claim in independent form in excess of three (§ 1.16(h)), each claim (whether dependent or independent) in excess of twenty (note that § 1.75(c) indicates how multiple dependent claims are considered for fee calculation purposes) (§ 1.16(i)), and each application that contains a multiple dependent claim (§ 1.16(j)).

Since the application is not under a final rejection, applicant is given a time period of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, to submit either: (1) the fee payment of \$ _____, or (2) an amendment in compliance with 37 CFR 1.121 that cancels the excess claim(s), in order to avoid ABANDONMENT. Extensions of this time period may be granted under 37 CFR 1.136, unless the excess claim(s) was presented in a preliminary amendment.

- 1. The funds in Deposit Account No. _____ are insufficient to cover the entire fee due. The balance is due within the time period set forth in this notice. See note below regarding the appropriate service charge.
- 2. The Credit Card payment to cover the entire fee due to Account _____ (Card type + last 4 digits ONLY) was refused. The balance is due within the time period set forth in this notice. See note below regarding the appropriate service charge.
- 3. The amendment that includes the excess claim(s) has not been entered, since applicant has failed to remit (or authorize charge to a Deposit Account or Credit Card) the fee as indicated on the attached Patent Application Fee Determination Record (PTO/SB/06). Remittance or authorization is due within the time period set forth in this notice.
- 4. The fee submitted in this application is insufficient. A balance of \$ 130.00 is due for presentation of excess claims (37 CFR 1.16(h)-(j) or 1.492(d)-(f)).
- 5. Other.

Explanation (Provide specific details of the required correction in order to assist the applicant. Indicate whether a service charge has been added to the fee due): owe for 5 dependent claims (sm entity) 5 x26 = \$130.00

THE AMOUNT OF THE FEE(S) DUE IS SUBJECT TO CHANGE, GENERALLY ON OCTOBER 1 OF EACH YEAR (37 CFR 1.16, 1.21 & 1.492). THE AMOUNT OF THE FEE(S) DUE IS DETERMINED AS OF THE DATE A COMPLETE REPLY WITH THE APPROPRIATE FEE(S) IS RECEIVED BY THE OFFICE (37 CFR 1.8 & 1.10). BECAUSE THE AMOUNT DUE IS SUBJECT TO CHANGE, IT IS RECOMMENDED THAT APPLICANT CHECK THE CURRENT FEE SCHEDULE WHICH IS AVAILABLE ON THE USPTO'S WEBSITE AT: <http://www.uspto.gov/web/offices/ac/qs/ope/fees.htm>

Service Charges. There is a \$50 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21(m)). There is a \$25.00 service charge for each month when the balance of a deposit account is below \$1000 at the end of the month (37 CFR 1.21(b)(2)).

Technical Support Staff (TSS): /LINDA A.
WASHINGTON/

Phone Number: (571)272-4397

Note to TSS: Please do NOT use this notice if the application is under a final rejection.